

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CASE NO. 5:12-CV-00047-RLV-DCK**

NICHOLE H. MCKINNEY,)
)
Plaintiff,)
)
v.)
)
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
)
Defendant.)
)

**ORDER OF REMAND AND
ENTRY OF FINAL JUDGMENT**

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), and in light of the Government's request to remand this action, it is ordered that, upon remand, the Appeals Council will perform a more thorough review of evidence submitted as part of Plaintiff's administrative appeal to determine whether remand to an ALJ is warranted.

Therefore, this Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) and remands the case to the Commissioner for further proceedings. This Court enters final judgment for Plaintiff in this matter.

Signed: September 17, 2012



Richard L. Voorhees
United States District Judge

